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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Sang Rim SHIN

Serial No. 09/520,363

Confirm. No: 9628

Filed: March 7, 2000

For: COMMUNICATION SYSTEM AND METHOD FOR OPERATING
MULTICAST SERVICE IN COMMUNICATION SYSTEM



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Group Art Unit: 2661
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Examiner: D. Vincent
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REQUEST FOR RECONSIDERATION

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JAN 14 2004

Technology Center 2600

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, Mail Stop Amendment
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

In reply to the Office Action dated July 8, 2003, please amend the above-identified application as follows:

Claims 1-42 are pending. Claims 1-3, 5, 7-11, 23, 24, 26, 28-31, 35, and 36 have been amended for clarity. Reconsideration of the application is respectfully requested for the following reasons.

None
was
filed
2/12/04

In the Office Action, the Examiner rejected claims 1-42 under 35 U.S.C. §112, second paragraph, for being vague and indefinite.

(1) Claims 1, 23, 26 and 28 were found to be objectionable for reciting a "communication system" which includes a number of protocol layers. Specifically, the Examiner indicated that a communication system *per se* does not include layers. Applicant respectfully submits that a communication system does in fact operate in accordance with a

protocol which has layers and that therefore use of the term "communication system" in the claims has clear and definite meaning both to those skilled in the art and in view of the description set forth in the specification.

(2) In Claim 1, the Examiner asked whether "generating" multicast data was one of the functions of the second layer of the claimed invention. Applicants respectfully submit that the functions of the second layer are clearly set forth in the specification.

(3) Claim 23 was questioned for its use of the word "consisting." Regarding this rejection, it is noted that while the claim as presently written uses "consisting," the specification supports use of a broader transitional phrase.

(4) Claim 26 was found to be objectionable based on the phrase "channel for processing." Applicant respectfully submits that a channel performs a variety of functions and that the channel functions recited in the claims are clearly evident in view of the specification.

(5) Claim 26 was found to be objectionable on grounds that the phrase "processing ...data in a data field type" is vague. Applicant respectfully submits that this phrase has clear and definite meaning both to those skilled in the art and in view of the description set forth in the specification.

(6) Claim 28 was found to be objectionable for reciting transmitting data on a channel and a channel for transmission of the network, and a channel for control data when the service request is achieved. Applicant respectfully submits that these phrases have clear and definite meaning both to those skilled in the art and in view of the description set forth in the specification.


It is respectfully submitted that the foregoing remarks are sufficient to overcome the Section 112, second paragraph, rejection.

Because the claims were not rejected over art and with the Section 112, second paragraph, rejection removed, it is respectfully submitted that the application is in condition for allowance.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney, Samuel W. Ntiros, at the telephone number listed below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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